

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

SANKONA GRAHAM,

Plaintiff,

V.

JAMES DZURENDA, et al.,

Defendants.

Case No.: 2:25-cv-00270-GMN-BNW

ORDER

On February 10, 2025, Plaintiff Sankona Graham filed a document titled “Ex Parte Motion for Appointment of Counsel.” ECF No. 1-1. But Plaintiff did not file a complaint, and he neither paid the full \$405 filing fee nor filed an application to proceed *in forma pauperis*. See ECF No. 1. The Court will grant Plaintiff an extension of time to correct these defects. Alternatively if Plaintiff did not intend to initiate a new action but meant to file this document in one of his other lawsuits, then he must file a notice under Federal Rule of Civil Procedure 41(a)(1)(A)(i) voluntarily dismissing this action.

I. DISCUSSION

“A civil action is commenced by filing a complaint with the court.” Fed. R. Civ. P. 3. “A civil-rights complaint filed by a person who is not represented by an attorney must be submitted on the form provided by this Court or must be legible and contain substantially all the information called for by the Court’s form.” Nev. LSR 2-1. And the complaint must be signed personally by the unrepresented party. Fed. R. Civ. P. 11(a).

Additionally, this Court must collect filing fees from parties initiating civil actions. 28 U.S.C. § 1914(a). As of December 1, 2023, the fee for filing a civil-rights action is \$405, which includes the \$350 filing fee and the \$55 administrative fee. *See* 28 U.S.C. § 1914(b). “Any person who is unable to prepay the fees in a civil case may apply to the court for leave to proceed *in forma pauperis.*” Nev. LSR 1-1. For an inmate to apply for *in forma pauperis* status, the inmate must submit **all three** of the following documents to the Court: (1) a completed **Application to Proceed in Forma Pauperis for Inmate**, which is pages 1–3 of the Court’s approved form, that is properly

1 signed by the inmate twice on page 3; (2) a completed **Financial Certificate**, which is page 4 of
2 the Court's approved form, that is properly signed by both the inmate and a prison or jail official;
3 and (3) a copy of the **inmate's prison or jail trust fund account statement for the previous six-**
4 **month period.** See 28 U.S.C. § 1915(a)(1), (2); Nev. LSR 1-2. *In forma pauperis* status does not
5 relieve an inmate of his or her obligation to pay the filing fee, it just means that the inmate can pay
6 the fee in installments. See 28 U.S.C. § 1915(b).

7 **II. CONCLUSION**

8 It is therefore ordered that Plaintiff has **until March 24, 2025**, to accomplish two tasks:
9 (1) file a signed complaint on this Court's approved form; and (2) either pay the full \$405 filing
10 fee or file a fully complete application to proceed *in forma pauperis* with all three required
11 documents.

12 Alternatively if Plaintiff did not intend to initiate a new action, then he must file a notice
13 under Federal Rule of Civil Procedure 41(a)(1)(A)(i) voluntarily dismissing this action. And he
14 must write the case number in the caption of documents that he submits for the Court's
15 consideration to ensure they are filed in the correct action.

16 Plaintiff is cautioned that this action will be subject to dismissal without prejudice if he
17 fails to timely comply with this order. A dismissal without prejudice allows Plaintiff to refile the
18 case with the Court, under a new case number, when Plaintiff can file a complaint and address the
19 matter of the filing fee.

20 The Clerk of the Court is directed to send Plaintiff the approved form application to proceed
21 *in forma pauperis* for an inmate with instructions and the approved form for filing a 42 U.S.C.
22 § 1983 complaint with instructions.

23 DATED: February 21, 2025
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26 _____
27 UNITED STATES MAGISTRATE JUDGE
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